



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES PRATHER, :

Plaintiff, : 07 Civ. 8270 (WHP)

-against- : ORDER

SUPERINTENDENT LUIS MARSHALL, :  
MR. T. CHU and SGT. KELLY, :  
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WILLIAM H. PAULEY III, District Judge:

Counsel for Defendants having informed the Court that Plaintiff failed to appear for a deposition on June 25, 2008 or to respond to Counsel's July 9, 2008 letter attempting to reschedule the deposition, Plaintiff is directed to appear for a deposition by September 30, 2008 or this Court will dismiss this action for failure to prosecute. Counsel for Defendants is directed to serve Plaintiff with this order at his family's residence at 179 Ashford Street, Brooklyn, New York.

Dated: August 25, 2008  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.

*Copies mailed to:*

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Office of New York State Attorney General  
120 Broadway  
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New York, NY 10271  
*Counsel for Defendants*